

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*
State Engineer,

Plaintiff,
v.

ROMAN ARAGON, *et al.*,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO
02 FEB 19 2002
69cv07941 JEC-ACE: 24

RIO CHAMA STREAM SYSTEM
Rio Gallina, Section 5

Subfile No(s) : CHGA-02-0006B

ORDER CORRECTING CLERICAL ERRORS & OMISSIONS

This matter coming on to be heard upon the motion filed on February 8, 2002 ^(corrected 2/5/02) by the Plaintiff, State of New Mexico, *ex rel.* State Engineer, for the correction of clerical errors and omissions in Consent Orders filed with the Court for the following defendants and subfiles, and the Court having considered the record in this cause and being otherwise fully advised in the premises, finds:

1. The motion to correct clerical errors and omissions is well taken and should be granted.
2. The right of the defendant(s) to divert and use waters from the Rio Chama Stream System, Rio Gallina, Section 5, is correctly set forth as follows:

COSME S CHACON
FULGENCIO CHACON
JOSE B. CHACON
JOSE L CHACON

Subfile No.: CHGA-02-0006B

A. Irrigated Lands (Surface Water Only)

Office of the State Engineer Files No(s) NONE

6536

Priority: Reserved for future determination by court order entered March 15, 2000.

Source of Water: Surface water of the Rio Capulin, a tributary of the Rio Gallina, a tributa Chama.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch Name: Gonzales/Gurule Ditch

Location X: 1,481,547 feet **Y:** 1,897,611 feet

New Mexico State Plane Coordinate System, Central Zone, 1983 N.A.D.

Location and Amount of Irrigated Acreage:

Section 11, Township 23N, Range 01E, N.M.P.M.

Pt. SE $\frac{1}{4}$ 5.6 acres

Total 5.6 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHGA-02-0006B.

Amount of Water: Reserved for future determination by court order entered March 15, 2000.

B. No Right (Surface Water Only)

Office of the State Engineer Files No(s) NONE

Priority: NONE

Source of Water: Surface water of the Rio Capulin, a tributary of the Rio Gallina, a tributa Chama.

Purpose of Use: NO RIGHT

Point of Diversion:

Ditch Name: Gonzales/Gurule Ditch

Location X: 1,481,547 feet **Y:** 1,897,611 feet

New Mexico State Plane Coordinate System, Central Zone, 1983 N.A.D.

Location and Amount of Irrigated Acreage:

Section 11, Township 23N, Range 01E, N.M.P.M.

Pt. SE $\frac{1}{4}$ 2.4 acres

Total 2.4 acres

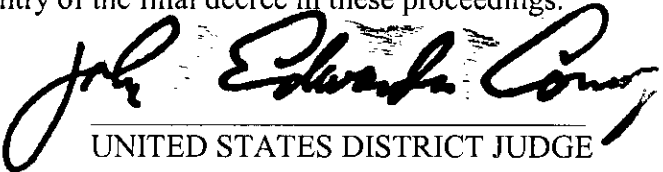
As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHGA-02-0006B.

Amount of Water: NONE

IT IS, THEREFORE, ORDERED that the above-named defendants, be and hereby are, adjudicated to have the water rights set out herein above, subject to the right of any other water rights claimant with standing to object prior to the entry of a final decree.

IT IS FURTHER ORDERED that the Defendants, his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Section 5, except in strict accordance with the rights set forth herein or in other orders of the Court.

The court enters this order as a final judgment as to the elements of the Defendant's water rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in these proceedings.


UNITED STATES DISTRICT JUDGE

Recommended for approval:


SPECIAL MASTER

